

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

MARTY NOBLE and HOLLI TELFORD,)	Case No. 5:17-cv-5088
)	
Plaintiffs,)	
)	
v.)	
)	MOTION TO DISMISS
AMERICAN NATIONAL PROPERTY &)	
CASUALTY INSURANCE CO.,)	
BOARDWALK PROPERTY MANAGEMENT)	
CO., KEVIN WEST, LEHI OASIS, LLC,)	
DAVID L. PARKER, AUSTIN B. CALES,)	
JARED ELDRIGE in his official capacity,)	
LARRY DEITER in his official capacity as)	
Director for the Division of Insurance for the)	
State of South Dakota, ROBERT J. POULSEN)	
and POULSEN & SKOUSEN,)	
)	
Defendants.)	

COME NOW Defendants, Boardwalk Property Management Company, Kevin West, Austin Cales, David Parker, Lehi Oasis, LLC, Robert J. Poulsen, and Poulsen & Skousen (collectively “Boardwalk Defendants”) by and through Rebecca L. Mann of Gunderson, Palmer, Nelson & Ashmore, LLP, their attorneys, and hereby moves to dismiss the Amended Complaint Pursuant to Fed. R. Civ P. 12(b)(2) and 12(b)(6). This Court lacks personal jurisdiction over the Boardwalk Defendants and Plaintiffs’ claims fail to state a claim upon which relief can be granted against Defendants Kevin West, Austin Cales, David Parker, Lehi Oasis, LLC.

This Motion is supported by Memorandum in Support of Motion to Dismiss filed contemporaneously herewith and the pleadings on file with this Court.

Dated: January 8, 2018.

GUNDERSON, PALMER, NELSON
& ASHMORE, LLP

By: /s/ Rebecca L. Mann
Rebecca L. Mann
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CERTIFICATE OF SERVICE

I hereby certify on January 8, 2018, a true and correct copy of **MOTION TO DISMISS** was served electronically through the CM/ECF system on the following:

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And on January 9, 2018 served via U.S. Mail, first class, postage prepaid upon the following:

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By: /s/ Rebecca L. Mann

Rebecca L. Mann